

**[MORGAN & MORGAN]**  
FOR THE PEOPLE.COM

March 8, 2023

**VIA ECF**

Hon. Richard Mark Gergel  
U.S. District Court for the District of South Carolina  
J. Waites Waring Judicial Center  
83 Meeting Street  
Charleston, South Carolina 29401

Re: *In re AFFF Products Liability Litigation*, MDL No. 2:18-mn-2873-RMG

Dear Judge Gergel:

Please accept this brief response to the DCC's letter dated March 8, 2023 [ECF No. 2896]. Therein, the DCC falsely asserts that the City of Stuart ("Stuart") has "refused" to provide requested discovery. Stuart has not "refused" to produce any of the documentation sought by the DCC. To the contrary, Stuart has *already* made one such production and the second and final production will be made by this time next week, which will include any document available that is responsive to the DCC's document requests. Since this production schedule was made known to the DCC, we are surprised that they would make such a misrepresentation to the Court. Additionally, and importantly, both productions will have been made well in advance of the deposition which has been tentatively set for April 3rd or 4th.

We thank the Court for its time and courtesies and do not believe judicial intervention is necessary at this point, but if the DCC seeks the same, Stuart is prepared to respond.

Respectfully submitted,

/s/ *Frank M. Petosa*

Frank M. Petosa

cc: All Counsel of Record (by ECF)  
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